

# PRINCE GEORGE'S COUNTY COUNCIL

## AGENDA ITEM SUMMARY

2013 Legislative Session

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**Meeting Date:** 10/1/2013

**Reference No.:** CB-94-2013

**Draft No.:** 1

**Proposer(s):** Harrison, Franklin

**Sponsor(s):**

**Item Title:** An Act concerning Labor – Minimum Wage for the purpose of specifying the amount of the County minimum wage that is in effect for certain periods and generally relating to the payment of wages.

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**Drafter:** Colette R. Gresham, Legislative Officer

**Resource Personnel:** Rodney C. Streeter, Chief of Staff/Legislative Aide, District 5

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### LEGISLATIVE HISTORY:

**Date Presented:** 10/1/2013

**Executive Action:** \_\_/\_\_/\_\_

**Committee Referral:** 10/1/2013 PSFM

**Effective Date:** \_\_/\_\_/\_\_

**Committee Action:** \_\_/\_\_/\_\_

**Date Introduced:** \_\_/\_\_/\_\_

**Public Hearing:** \_\_/\_\_/\_\_ \_\_: \_\_

**Council Action:** \_\_/\_\_/\_\_

**Council Votes:** AH:\_\_, WC:\_\_, DLD:\_\_, MRF:\_\_, ML:\_\_, EO:\_\_, OP:\_\_, KT:\_\_, IT:\_\_

**Pass/Fail:**

**Remarks:** \_\_\_\_\_

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### AFFECTED CODE SECTIONS:

13A-117

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**BACKGROUND INFORMATION/FISCAL IMPACT:****(Includes reason for proposal, as well as any unique statutory requirements)**

The Fair Labor Standards Act ("FLSA") is the federal law that establishes standards for minimum wages, overtime pay, recordkeeping, and child labor. FLSA requires employers of covered employees who are not otherwise exempt to pay these employees a minimum wage of not less than \$7.25 per hour effective July 24, 2009. The Maryland Wage and Hour Law is the State complement to the federal FLSA. State law specifies that an employee must be paid the greater of the federal minimum wage or \$6.15 per hour. The State and local governments are considered employees under the Wage and Hour Law. The proposed legislation would increase the minimum wage for employees in the County to \$8.75 per hour beginning July 1, 2014, \$10.25 per hour beginning July 1, 2015, \$11.50 per hour beginning July 1, 2016, and beginning July 1, 2017, the minimum wage shall be adjusted for inflation in accordance with the Consumer Price Index, or the minimum wage pursuant to FLSA, whichever is greater.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES/ZONING FIGURES:**

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**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**2013 Legislative Session**

Bill No. CB-94-2013

Chapter No. \_\_\_\_\_

Proposed and Presented by Council Members Harrison and Franklin

Introduced by \_\_\_\_\_

Co-Sponsors \_\_\_\_\_

Date of Introduction \_\_\_\_\_

**BILL**

1 AN ACT concerning

2 Labor – Minimum Wage

3 For the purpose of specifying the amount of the County minimum wage rate that is in effect for  
4 certain time periods and generally relating to the payment of wages.

5 BY adding:

6 SUBTITLE 13A. LABOR CODE.

7 Section 13A-117,

8 The Prince George's County Code

9 (2011 Edition; 2012 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
11 Maryland, that Section 13A-117 of the Prince George's County Code be and the same is hereby  
12 added:

13 SUBTITLE 13A. LABOR CODE.

14 **DIVISION 2. MINIMUM WAGE.**

15 **Sec. 13A-117. Payment of minimum wage required.**

16 (a) Except as provided in the Maryland Wage and Hour Law, as of July 1, 2014, the  
17 minimum wage required to be paid to any employee by any employer in Prince George's County  
18 shall be \$8.75 per hour, or the minimum wage pursuant to the Fair Labor Standards Act,  
19 whichever is greater. The term "employer" includes a person who acts directly or indirectly in  
20 the interest of another employer with an employee and includes a governmental unit.

21 (b) As of July 1, 2015, the minimum wage required to be paid to any employee by any

1 employer in Prince George's County shall be \$10.25 per hour, or the minimum wage pursuant to  
2 the Fair Labor Standards Act, whichever is greater.

3 (c) As of July 1, 2016, the minimum wage required to be paid to any employee by any  
4 employer in Prince George's County shall be \$11.50 per hour, or the minimum wage pursuant to  
5 the Fair Labor Standards Act, whichever is greater.

6 (d) As of July 1, 2017 and each succeeding fiscal year beginning July 1st, the minimum  
7 wage required to be paid to any employee by any employer in Prince George's County shall be  
8 adjusted for inflation in accordance with the Consumer Price Index, or the minimum wage  
9 pursuant to the Fair Labor Standards Act, whichever is greater.

10 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
11 calendar days after it becomes law.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2013.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Andrea C. Harrison  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.